

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JAMES C. WINDING**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:13-CV-289-CWR-FKB**

**T. EVANS AND E.L. SPARKMAN**

**DEFENDANTS**

**ORDER**

Before the Court is the Report and Recommendation (R&R) of United States Magistrate Judge F. Keith Ball. Docket No. 162. The Magistrate Judge recommends dismissing plaintiff's claims against defendants, denying plaintiff's "motion to arrest judgment order," and denying plaintiff's motion to reopen the case against three defendants he previously voluntarily dismissed. Dockets Nos. 160-61. The plaintiff has objected. Docket Nos. 163-65.

The Court has reviewed *de novo* the portions of the R&R to which the plaintiff has objected. Fed. R. Civ. P. 72(b)(3). The Court has also reviewed the plaintiff's motions. It finds that the plaintiff's case should be dismissed.

First, the plaintiff presented as evidence grievances he filed in an effort to exhaust his administrative remedies. The grievances, however, were filed subsequent to the filing of the present complaint. Second, the Court finds that the plaintiff's motions to arrest and reopen his case are without merit.

Accordingly, the Report and Recommendation is adopted as this Court's own, and the plaintiff's objections and motions are denied. A separate Final Judgment will issue this day.

**SO ORDERED**, this the 30th day of September, 2015.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE